

## REMARKS

Applicants have carefully studied the outstanding Office Action. The present amendment is intended to place the application in condition for allowance and is believed to overcome all of the objections and rejections made by the Examiner. Favorable reconsideration and allowance of the application are respectfully requested.

Applicants have canceled claims 15, 20, 38 and 43 and amended claims 1-14, 16-19, 21-24, 28, 35, 37, 39, 41, 44-55, and 62 to more properly claim the present invention. No new matter has been added. Claims 1-14, 16-19, 21-37, 39-42 and 44-62 are presented for examination.

In Paragraph 1 of the Office Action, the Examiner has rejected claims 1-23 and 48-54 under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicant has amended claims 1-23 and 48-54 to address the examiner's rejection under section 101. These claims are now directed to a computer readable medium which includes computer program instructions.

In Paragraphs 2 and 3 of the Office Action, the Examiner has rejected claim 28 under 35 U.S.C. §112, second paragraph, as being indefinite. Applicant has accordingly amended claim 28 so as to depend from claim 27, in order to correct this deficiency.

In Paragraphs 4 and 5 of the Office Action, the Examiner has rejected claims 1-3, 6, 9-14, 24-26, 29, 32-37, 47-49, 51, 52, 55, 56, 58, 59 and 62 under 35 U.S.C. §102(e) as being anticipated by Borden, IV, US Pub. No. 2002/0140820 A1 ("Borden").

In Paragraphs 6 and 7 of the Office Action, the Examiner has rejected claims 4, 5, 7, 8, 27, 28, 30 and 31 under 35 U.S.C. §103(a) as being unpatentable over Borden in view of <http://Fototime.com/ftweb/fahelp/> published web pages 321.htm, 256.htm and 434.htm ("Fototime").

In Paragraph 8 of the Office Action, the Examiner has rejected claims 15-19, 38-42, 50 and 57 under 35 U.S.C. §103(a) as being unpatentable over Borden in view of Rothmuller et al., US Pub. No. 2003/0033296 A1 ("Rothmuller"). Applicants have canceled claims 15 and 38 without acquiescence to the Examiner's reasons for rejection, and respectfully submit that rejection of these claims is thus rendered moot. Therefore

only claims 16-19, 39-42, 50 and 57 remain rejected in these Paragraphs under 35 U.S.C. §103(a).

In Paragraph 9 of the Office Action, the Examiner has rejected claims 53, 54, 60 and 61 under 35 U.S.C. §103(a) as being unpatentable over Borden in view of Pairs et al., US Patent No. 6,085,205 ("Pairs").

In Paragraph 10 of the Office Action, the Examiner has rejected claims 20-23 and 43-46 under 35 U.S.C. §103(a) as being unpatentable over Borden in view of Baskins et al., US Patent No. 6,654,760 ("Baskins"). Applicants have canceled claims 20 and 43 without acquiescence to the Examiner's reasons for rejection, and respectfully submit that rejection of these claims is thus rendered moot. Therefore only claims 21-23 and 44-46 and 57 remain rejected in these Paragraphs under 35 U.S.C. §103(a).

The rejections of claims 1-14, 16-19, 21-37, 39-42 and 44-62 in paragraphs 4-10 of the Office Action will now be dealt with specifically.

Borden describes a system for presenting digital images based on an arrangement according to calendar dates. As illustrated in FIG. 1 of Borden, representations of images such as thumbnails 22 are organized according to dates, and a user can immediately identify and access those images that have creation dates falling within a given calendar range (Borden / pars. [0017] and [0018]).

Fototime describes a date and time that a digital camera embeds in a picture file, and in particular embedded EXIF data.

Rothmuller describes a database for managing digital images, where meta-data for images is provided in forms of tag objects. Tags are organized in categories, such as a people tag, an event tag and a places tag (Rothmuller / pars. [0017]-[0022]). Rothmuller also describes use of temporal meta-data to identify photos taken on a particular date or during a particular month (Rothmuller / FIG. 4 and par. [0032]).

Pairs describes a document management system that uses a calendar-based interface to retrieve documents. Icons of documents are displayed within cells representing days of a month (Pairs / col. 1, lines 40-48; FIG. 5 and the discussion thereof at col. 4, lines 30-41)

Baskins describes an adaptive self-modifying data structure in the form of an adaptive tree.

As to amended independent claim 1 for a calendar-based image asset organizer, applicants respectfully submit that the limitations in claim 1 of

*"a user interface for presenting three views of a database for digital images, each digital image having a date associated therewith, the first view being a year view for displaying at least one year and indicating the number of images that have associated dates within each year from the displayed years, the second view being a month view for displaying at least one month and indicating the number of images that have associated dates within each month from the displayed months, and the third view being a day view for displaying at least one day and indicating the number of images that have associated dates within each day from the displayed days, the user interface enabling a user to interactively navigate from one view to another and to designate at least one date range, and to generate a query including the designated designating at least one date range", and*

*"a database manager for the database for digital images communicatively coupled with said user interface, for receiving a query including at least one date range, and for returning identifiers for images that have an associated date within the at least one date range, each identifier representing (i) an ID for a folder path, and (ii) an ID for a file name"*

are neither shown nor suggested in Borden, Fototime, Rothmuller, Peairs or Baskins.

Applicants note that the prior art does not disclose indicating exact numbers of images within displayed years, months and days. Specifically, as described in paragraph [0021] of Borden, the indicators (elements 50 of FIGS. 1 and 2) can only be used to determine *"an estimated number of digital image files"*. It is also clear from FIG. 1 and 2 of Borden that the elements 50 are merely filler bars that do not provide exact numbers. Similarly, the timeline of Rothmuller (element 250 of FIG. 3) only includes bars with *"heights that are representative of the number of photos taken during a given period of time normalized to the average number of photos taken during all such similar periods of time in the database."* Similarly, Fototime uses bars in its interface to indicate the number of photos taken in each month, and the bars do not determine the exact number of photos taken. Similarly, the calendar view of Peairs does not include exact numbers

of documents. Indeed, as described at col. 4, lines 45 and 46, "... *each cell 502 is limited to showing three documents and three pages in each document*".

Applicants further note that whereas the prior art discloses storing file location pointers in a database, the present specification (at page 8, line 33-page 12, line 22) describes a more sophisticated approach, whereby file locations are split into folder and file name components in order to eliminate redundant storage of folder paths. The present invention thus reduces the amount of data required to be stored in the database and thereby increases the speed of query and storage, and reduces the overhead when the name or location of a folder is changed.

Because claims 2-14, 16-19 and 21-23 depend from claim 1 and include additional features, applicants respectfully submit that claims 2-14, 16-19 and 21-23 are not anticipated or rendered obvious by Borden, Fototime, Rothmuller, Peairs and Baskins, taken alone or in combination.

Accordingly claims 1-14, 16-19 and 21-23 are deemed to be allowable.

As to amended independent method claim 24 and amended claim 47 for a computer-readable storage medium, applicants respectfully submit that the limitation in claims 24 and 47 of

*"returning identifiers for images having an associated date within the at least one designated date range, each identifier representing (i) an ID for a folder path, and (ii) an ID for a file name"*

is neither shown nor suggested in Borden, Fototime, Rothmuller, Peairs or Baskins.

Because claims 25-37, 39-42 and 44-46 depend from claim 24 and include additional features, applicants respectfully submit that claims 25-37, 39-42 and 44-46 are not anticipated or rendered obvious by Borden, Fototime, Rothmuller, Peairs and Baskins, taken alone or in combination.

Accordingly claims 24-37, 39-42 and 44-47 are deemed to be allowable.

As to amended independent claim 48 for a calendar-based digital content organizer, applicants respectfully submit that the limitations in claim 48 of

*"a user interface for presenting three views of a database for digital content, each piece of digital content having a date associated therewith, the first view being a year view for displaying at least one year and indicating the number of pieces of digital*

*content that have associated dates within each year from the displayed years, the second view being a month view for displaying at least one month and indicating the number of pieces of digital content that have associated dates within each month from the displayed months, and the third view being a day view for displaying at least one day and indicating the number of pieces of digital content that have associated dates within each day from the displayed days, the user interface enabling a user to interactively navigate from one view to another and to designate at least one date range, and to generate a query including the designated designating at least one date range", and*

*"a database manager for the database for digital content communicatively coupled with said user interface, for receiving a query including at least one date range, and for returning identifiers for pieces of digital content having an associated date within the at least one date range, each identifier representing (i) an ID for a folder path, and (ii) an ID for a file name"*

are neither shown nor suggested in Borden, Fototime, Rothmuller, Peairs or Baskins.

Because claims 49-54 depend from claim 48 and include additional features, applicants respectfully submit that claims 49-54 are not anticipated or rendered obvious by Borden, Fototime, Rothmuller, Peairs and Baskins, taken alone or in combination.

Accordingly claims 48-54 are deemed to be allowable.

As to independent method claim 55 and amended claim 62 for a computer-readable storage medium, applicants respectfully submit that the limitation in claims 55 and 62 of

*"returning identifiers for digital content having an associated date within the at least one designated date range, each identifier representing (i) an ID for a folder path, and (ii) an ID for a file name"*

is neither shown nor suggested in Borden, Fototime, Rothmuller, Peairs or Baskins.

Because claims 56-61 depend from claim 55 and include additional features, applicants respectfully submit that claims 56-61 are not anticipated or rendered obvious by Borden, Fototime, Rothmuller, Peairs and Baskins, taken alone or in combination.

Accordingly claims 55-62 are deemed to be allowable.

Support for Amended Claims in Original Specification

Amended claims 1 and 48 include the limitation of three views of a database for digital images or for digital content, the first view being a year view, the second view being a month view, and the third view being a day view, and the limitation of a user being able to navigate from one view to another. This limitation is described in the original specification at FIGS. 1-3 and at the discussion thereof on page 5, line 11 – page 6, line 22.

Amended claims 1 and 48 also include the limitation of indicating the number of images that have dates within a given year, a given month and a given date. This limitation is described in the original specification page 5, lines 15-17 and 23-25, and illustrated in FIGS. 1-3.

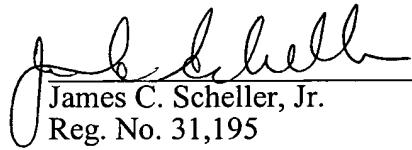
Amended claims 1, 24, 47, 48, 55 and 62 include the limitation of a database manager for a database for digital images or for digital content. This limitation is described in the original specification at element 430 of FIG. 4 and at the discussion thereof on page 7, line 24-page 8, line 7.

Amended claim 1, 24, 47, 48, 55 and 62 also include the limitation of an identifier for an image or for a piece of content, the identifier representing (i) an ID for a folder path, and (ii) an ID for a file name. This limitation is described in the original specification at TABLES II and III and at the discussion thereof at page 8, line 33-page 9, line 15.

For the foregoing reasons, applicants respectfully submit that the applicable objections and rejections have been overcome and that the claims are in condition for allowance. Respectfully submitted,

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